REMARKS

Upon entry of the present amendment, claims 1-2 and 4 will remain pending in the above-identified application and stand ready for further action on the merits.

The amendments made herein to claims 1 and 2 do not incorporate new matter into the application as originally filed. In this respect, claim 1 has been amended to recite properties already finding support in claim 3, while claim 2 has been amended into an independent format and further includes limitations previously recited in claim 3.

Newly added claim 4 finds support throughout the application as originally filed, including original claims 1-3.

Accordingly, entry of the present amendment is respectfully requested.

Abstract

Applicants have amended the abstract to be in compliance with the USPTO requirement of a single paragraph, being within the range of 50 to 150 words. A copy of the newly amended abstract is also provided on a separate sheet attached hereto.

Claim Rejections Under 35 USC § 102/103

Claims 1-3 have been rejected under 35 USC § 102(b) as anticipated by or, in the alternative, under 35 USC § 103(a) as

obvious over Saito et al. US 4,869,843 (US '843). Further, claims 1-3 have also been rejected under the same statutes over Nakamura et al. US 4,970,017 (US '017) or Jolicour US 5,178,798 (US '798). Reconsideration and withdrawal of each of these rejections are respectfully requested based upon the following considerations.

The Present Invention and Its Advantages

The present invention relates to a granular detergent composition having easy measurability and distributivity suitable for use with a spoon measurement.

In order to meet the requirement of the invention, which includes the equation set forth in current claims 1-2, the particles of the granular detergent composition should have specific features. These features are average particle size, fine powder ratio of a particle size of 125 μm or less, degree of spherocity and tensile strength of a powder layer. These features correlate with the equation recited in the specification and in claims 1-2.

Distinctions over the Cited Art

Saito et al. (US '843)

Saito et al. (US '843) does not provide any description regarding a low amount of fine powder, and does not disclose any process to increase the degree of spherocity. However, screening

is needed to reduce the amount of fine powder and a rolling process or some other spherocity forming process is necessary to increase the degree of spherocity. Thus, the limitations on amount of fine powder and the degree of spherocity recited in claims 1-2 and 4 distinguish the instant invention from Saito et al. (US '843).

In support of the above contention, the Examiner's attention is directed to Test Example 2 (*see pages 55-57 of the instant specification*) wherein it is shown in Table 3 that "Adjusted Preparation Examples" 1 and 2 did not meet the requirements for degree of spherocity as recited in the instant claims.

Nakamura et al. (US '017)

Nakamura et al. (US '017) correspond to the Adjusted Preparation Example 1 in the instant specification (see pages 55-57). Moreover, while Nakamura et al. did some rolling in a rolling drum to increase degree of spherocity (*see column 10, lines 44-46*), it is estimated that Nakamura's result was not sufficient because of the fact that rolling was only done for 5 minutes. In contrast, in the present invention, the process is done for almost 30 minutes. Consequently, the degree of spherocity of Nakamura et al. does not come close to being 100-145, as recited in claims 1-2 and 4 of the instant invention.

Further, in an embodiment of Nakamura et al. (US '017), though particles are screened and selected (*see Table 1 at columns 11-12*), the mesh sizes corresponded to particle diameters as follows:

10 mesh: 1500 μm; 24 mesh: 625 μm; and 60 mesh: 260 μm.

Thus, because in Nakamura et al. (US '017), the peak distribution size was 10 to 24 mesh (*see Table 1*), it is submitted that the average particle size of Nakamura et al. should be more than 625 μm. Based on such considerations, it also follows that the recited feature of an average particle size of 200 to 500 μm (*see claim 1*) and 220 to 450 μm (*see claims 2 and 4*) is clearly different from the disclosure of Nakamura et al.

Jolicoeur (US '798)

In Jolicoeur (US '798), fine particles were removed and screening was done. But the degree of spherocity obtained is submitted to not be sufficient because of a lack of any disclosed spherocity forming process. Also, because 1180 μm was screened and cut at 150 μm, fine particle of 125 μm or less should be in a small amount. Likewise, because the process of Jolicoeur US '798 includes mixing a dough and a deagglomerating agent, which has a size of 200 μm or less (*see Abstract*), it would be predicted by those of ordinary skill in the art that the resulting final particle size would be far outside the average particle size range

of the instant invention of 200 to 500 μm (*see claim 1*) and 220 to 450 μm (*see claims 2 and 4*).

Accordingly, it can easily be seen that nowhere in the cited art of Saito et al., Nakamura et al. or Jolicoeur, is there provided any teaching or motivation to those of ordinary skill in the art that would allow them to arrive at the present invention as claimed. This is true whether such references are considered singularly or in combination. Also, it is clear that the cited references do not teach or provide for each of the limitations found in the pending claims. Based upon the lack of such teachings in the cited references, and the lack of any motivation provided therein to arrive at the present invention, it is clear that the cited references are incapable of providing a proper basis for rejecting any of pending claims 1, 2 and 4 under the provisions of 35 USC § 102 or 35 USC § 103.

CONCLUSION

Based upon the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that each of the pending claims 1-2 and 4 are allowed and patentable under the provisions of Title 35 of the United States Code.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully

requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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1422-0510P

Attachment: Re-written Abstract of the Disclosure